

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 8, Bay Pines VA Healthcare System

2. **Nature and/or Description of the Action Being Processed:**

VISN 8 has funded this procurement and has requested all facilities to purchase the Orthoview Digital Templating Software for use in the Surgical Services at each facility. This will be a firm fixed price contract. All facilities in VISN 8 will use this software in surgical planning for joint replacement surgery.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

Software description and requirements:

- Orthoview has 160,000 "branded" templates that are corporate branded
 - Orthoview has over 60 auto wizards for templating
 - Orthoview smart help built in specific to area working in
 - Orthoview has smart hip wizard that allows total hip templating in 60 seconds
 - Orthoview has the ability to perform multiple patient procedures in the same or one single patient file, meaning the ability to create multiple patient templates within the same single patient file
 - Orthoview performs all of the following templating functions: full joint replacement (hips, knees, shoulders, elbows, ankles and fingers), full trauma (including on screen fracture reduction, nails, plates and HAS" template plate bending ability, limb deformity correction for Osteotomies.
 - OV Performs full Spine Assessment for scoliosis templating. Performs full Pediatric Assessment for Hip Dysplasia
 - Orthoview is fully integrated and VA approved for use on with VistaRAD PACS and Philips, GE, McKesson, Fuji and Agfa PACS systems
 - OrthoView's QuickScale one-click scaling feature supports any shape of marker, not just spherical markers.
 - OrthoView has over 50 specially developed measuring tools (wizards) to aid template positioning and size selection.
 - OrthoView can be personalized to each surgeon's preferences, including their own list of "favorite" prosthesis templates and system set up preferences.
 - The SmartHelp button opens the section of the Help menu relevant to the stage you're and the procedure you're planning and provides step-by-step
 - OrthoView allow you to choose 'Save' for future editing of the plan or 'Commit' to lock the study down so that no further changes.
 - ImageShare allows users to securely route images within the office and via the Internet and is part of the OrthoView Solution.
 - SmartHip allows you to plan a THA in less than 60 seconds and provides a visual of the post operative leg length difference.
 - ImageStitch rotates, crops and stitches up to four separate images from one series into a single image.
 - Any marker shape: Any shape of radiographic marker can be used, not just spherical.
- Orthoview's Smart Templates recognize only the orthopaedic manufacturers' permitted part combinations. Five Clinical Modules are included with OrthoView: Joint Replacement, Trauma, Scoliosis Assessment, Limb Deformity Correction & Pediatric Assessment for Developmental Dysplasia of the Hip

4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(g), as implemented by FAR 6.302. The specific paragraph must be cited. Most likely, only the -1 or -2 authorities will be cited. Please be aware that failure to adequately plan for future requirements does not constitute appropriate use of the unusual and compelling urgency statutory authority.

- (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 () (2) Unusual and Compelling Urgency per FAR 6.302-2;
 () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 () (4) International Agreement per FAR 6.302-4
 () (5) Authorized or Required by Statute FAR 6.302-5;
 () (6) National Security per FAR 6.302-6;
 () (7) Public Interest per FAR 6.302-7;

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

There is no other source that can provide the software capabilities that are detailed in #3 above. Furthermore, VISN 8 is requiring all facilities to standardize on this software for use in all surgical services throughout the VISN. This product will provide a standardized planning system across VISN 8 for all orthopedic joint replacements or repairs. The software is currently in use at over 40 VA facilities throughout the country. While there are other software vendors who can provide some of the requirements in #3 above, no one other than Orthoview can provide all of the requirements listed.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

An internet search of other possible sources was conducted. Only a source called Brain Lab responded. However, Brain Lab was unable to meet and/or provide the requirements listed above

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

Market research was conducted. Orthoview and Brain Lab were the only two vendors to provide information on their product. However, Brain Lab could meet all of the requirements and could not provide all of the necessary software capabilities.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**

A detailed list of requirements is provide in #3 above. This is strictly a software purchase and there are no other requirements other than stated above. VISN 8 is requiring each facility to purchase this product for orthopedic surgery planning.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

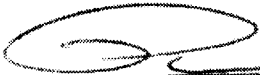
Orthoview and Brain LAB

11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:

No other actions are planned. This software is unique and has limited sources for competition, and there is no one else who can provide the features that we require.

12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)

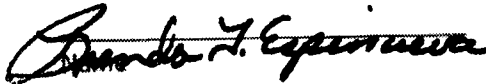


Name Pamela Goldner
Title Program Specialist
Facility Bay Pines VA Healthcare System

5/10/13
Date

13. **Approvals in accordance with FAR 6.304** *This part is filled out by Contracting Staff as part of the Justification*

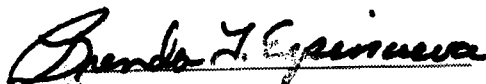
- a. **Contracting Officer's Certification:** (required) I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Contracting Officer
Facility

7/25/13
Date

- b. **Product Line Supervisor (PLS):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Name
Contracting Supervisor
Facility

7/25/13
Date

- c. **DNCM/NCM:** (SAT to \$500,000) I certify the justification meets requirements for other than full and open competition.

Mitchell Thomas
Network Contract Manager
VISN 8

Date

- d. **SAO:** I certify the justification meets requirements for other than full and open competition.

Jeff Ryan
Director
Service Area Office, East

Date

- e. **VHA HCA Review and Approval:** (over \$500,000) I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (over \$50 million), approve (up to \$ 50 million) for other than full and open competition.

HCA
Chief Procurement and Logistics Officer
VHA Head of Contracting Activity (HCA)

Date

- f. **VA Deputy Senior Procurement Executive Approval (over \$10 not exceeding \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Iris B. Cooper
Deputy Senior Procurement Executive (DSPE)
Office of Acquisition and Logistics
Department of Veterans Affairs

Date

- g. **VHA Senior Procurement Executive Approval (over \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Jan R. Frye
Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date